

1 JASON M. FRIERSON
2 United States Attorney
3 District of Nevada
4 Nevada Bar No. 7709

5 VIRGINIA T. TOMOVA
6 Assistant United States Attorney
7 Nevada Bar Number 12504
501 Las Vegas Blvd. So., Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336
Virginia.Tomova@usdoj.gov
Attorneys for the United States

8 **UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA**

10 DANIEL LUCERO,

11 Plaintiff,

12 v.

13 ISABEL GUZMAN, ADMINISTRATOR
14 and SMALL BUSINESS
ADMINISTRATION,

15 Defendants.

Case No. 2:21-cv-00915-RFB-MDC

16 **Stipulation and Order to
17 Extend Certain Discovery Deadlines
18 (Eighth Request)**

19 Pursuant to LR IA 6-1 and LR 26-3, the parties request an extension of the March
20 14, 2024, deadline to file dispositive motions to June 14, 2024, and all related briefing and
21 JPTO deadlines thereafter, as follows. This is the eighth request for an extension.

22 **DISCOVERY COMPLETED**

23 The parties have completed the following disclosures and discovery:

24 The parties served their respective initial disclosures, and Plaintiff supplemented
25 their disclosures.

26 Defendant served initial discovery requests, and Plaintiff responded to them.

27 On June 16, 2023, Defendant took Plaintiff's deposition.

28 On June 22, 2023, Plaintiff took the deposition of former SBA employee Denise
Biaggi-Ayer.

29 **DISCOVERY REMAINING**

30 Discovery was completed on July 19, 2023.

1 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

2 This request concerns only the dispositive motions and related briefing deadlines, and
3 the Joint Pretrial Order deadline. Undersigned defense counsel has had medical
4 appointments out of state, which necessitated taking time off from work. Additionally, both
5 counsels have heavy workloads including the undersigned AUSA's settlement conference
6 brief due on March 14, 2024, for a settlement conference in *Pina v. United States of America*,
7 Case No. 2:22-cv-01946-ART-MDC, scheduled on March 21, 2024, Plaintiff's deposition
8 and expert disclosures in another matter the week of March 18, 2024, briefs in other cases
9 including answers to complaints. Plaintiff's counsel agrees to this extension and advises that
10 his March calendar is extremely busy. For these reasons, the parties agreed to the revised
11 schedule below to have the necessary time to prepare dispositive motions, oppositions and
12 replies.

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER**

2 The extension of the remaining deadlines in the case would result in the following
 3 revised discovery schedule:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Dispositive Motions	03/14/2024	06/14/2024
Oppositions to Dispositive Motions	04/15/2024	07/15/2024
Replies re Dispositive Motions	05/06/2024	08/06/2024
Proposed Joint Pretrial Order	05/06/2024	08/06/2024 ¹

9 This request for an extension of time is not sought for any improper purpose including
 10 delay.

11 Respectfully submitted this 12th day of March 2024.

12 BLACK & WADHAMS

13 _____
 14 /s/ *Rusty Graf*
 15 RUSTY GRAF, Esq.
 16 Nevada Bar No. 6322
 17 10777 West Twain Avenue, 3rd Floor
 18 Las Vegas, Nevada 89135
 19 Attorney for Plaintiff

JASON M. FRIERSON
 United States Attorney

 /s/ *Virginia T. Tomova*
 VIRGINIA T. TOMOVA
 Assistant United States Attorney

20 **IT IS SO ORDERED: The parties' stipulation is DENIED without prejudice.** The
 21 parties may resubmit with a showing of good cause as to why they filed the stipulation
 22 less than 21 days before the subject dispositive motion deadline, as required by LR
 23 26-3.



24 _____
 25 UNITED STATES MAGISTRATE JUDGE
 26 DATED: 3-14-24

27 _____
 28 ¹ If dispositive motions were filed, the deadline for the Proposed Joint Pretrial Order would
 be deferred until 30 days after the Court rules on the dispositive motions.